IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

THURSDAY, THE 12TH JULY 2007 / 21ST ASHADHA 1929

RP.No. 1085 of 2006

AGAINST THE JUDGEMENT IN MFA.418/2002 OF THIS COURT
.....

REVIEW PETITIONERS/RESPONDENTS
----

1. STATE OF KERALA,
REP. BY SECRETARY,
SECRETARY, SC/ST DEVELOPMENT DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE SCRUTINES COMMITTEE FOR
VERIFICATION OF SC/ST CLAIMS,
REP. BY THE CHAIRMAN, SC/ST DEVELOPMENT DEPT.,
THIRUVANANTHAPURAM.

3. THE DIRECTOR,
KIRTADS, KOZHIKODE.

BY GOVERNMENT PLEADER SMT. NOBLE MATHEW

RESPONDENTS/APPELLANT IN THE MFA

V.BALAN, POSTAL ASSISTANT (TREASURER I),
HEAD POST OFFICE, THRISSUR,
RESIDING AT P&T QUARTERS, M-5,
POOTHOLE, THRISSUR.

BY ADV. SRI.M.POLY MATHAI

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 12/07/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.B.KOSHY & M.SASIDHARAN NAMBIAR, JJ.

R.P.No.1085 OF 2006 in
M.F.A.No.418 OF 2002

Dated 12th July, 2007

ORDER

Koshy,J.

Following the decision in ***N.Natarajan and another*** v. ***Vigilance Officer, Directorate of KIRTADS, Kozhikode and others*** (M.F.A.No.1318 of 1999) we have held that the matter should be considered by the scrutiny committee constituted as per the provisions of Act 11 of 1996. In that process, apart from the proceedings of the scrutiny committee which was constituted in accordance with the Act, report of KIRTADS was also set aside. That was a mistake. Report of KIRTADS is only an evidence before the scrutiny committee. Therefore, we review the judgment dated 10th August, 2006. Report of KIRTADS dated 31.3.2000 is not set aside. It can be taken as one of the evidence by the scrutiny committee.

The review petition is disposed of accordingly.

J.B.KOSHY
JUDGE

M.SASIDHARAN NAMBIAR
JUDGE

tks